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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

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8 MAURICE MAY, )  
9 Plaintiff, ) Case No. 2:10-cv-00576-GMN-VCF  
10 vs. ) **ORDER**  
11 BRIAN WILLIAMS, *et al.*, ) Motion for Limited Purpose to  
12 Defendants. ) Attend Inmate Early Mediation  
13 \_\_\_\_\_ Conference (#40)

14 This matter comes before the Court on Travis Barrick's Application for the Limited Purpose  
15 to Attend Inmate Early Mediation Conference (#40), filed on August 3, 2012. Attorney Travis  
16 Barrick requests the Court allow him to attend the inmate mediation on Plaintiff's behalf even  
17 though he is not Plaintiff's counsel of record. On August 7, 2012, the Court entered a Minute Order  
18 (#41), stating that unless there was an objection to Mr. Barrick's request, the Court would allow his  
19 limited appearance. On August 14, 2012, Defendants filed an objection to Mr. Barrick's request. *See*  
20 Response (#42). Defendants state that the early settlement conference was agreed upon based on  
21 Plaintiff's desire to keep litigation costs low. Defendants argue that Mr. Barrick's appearance will  
22 increase the costs of settlement and/or litigation, and therefore the Court should deny his request.  
23 Alternatively, Defendants request that if the Court is inclined to allow Mr. Barrick's appearance, the  
24 Court should preclude Mr. Barrick from recovering costs or fees based on his appearance at the  
25 settlement conference.

26 On July 19, 2012, Defendants filed a Motion for Order Setting Inmate Early Mediation  
27 Conference (#37). Attached to that Motion is a letter from Plaintiff proposing that the parties engage  
28 in an early mediation conference before Plaintiff obtains an attorney, to keep the costs of

1 litigation low. *See* Plaintiff's Letter (#37-1). The Court is inclined to allow Mr. Barrick's  
2 appearance so long as his appearance does not undermine the purpose of the early settlement  
3 conference. Accordingly,

4 **IT IS HEREBY ORDERED** that Travis Barrick's Application for the Limited Purpose to  
5 Attend Inmate Early Mediation Conference (#40) is **granted** subject to the condition that if a  
6 settlement is not reached and Plaintiff ultimately prevails in this action, Plaintiff will not be allowed  
7 to recover attorney's fees and costs related to Mr. Barrick's attendance at the settlement conference.

8 DATED this 15th day of August, 2012.

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11 GEORGE FOLEY, JR.  
12 United States Magistrate Judge